

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
HATTIESBURG DIVISION**

WILLIE M. BROWN

PLAINTIFF

V.

CIVIL ACTION NO. 2:11-CV-57-KS-MTP

BRENDA SIMS, et al.

DEFENDANTS

ORDER

The Court **denies** Plaintiff's Motion to Amend Subpoena [56]. The Court has already accepted and adopted the Magistrate Judge's Report and Recommendation, and it addressed Plaintiff's objections. To the extent Plaintiff seeks reconsideration of the Court's ruling on the basis that MDOC's strip-search policies were not placed in the record, the Court denies the motion on the basis that the policies are irrelevant to Plaintiff's core argument that the presence of a female corrections officer during the strip-search of a male inmate implicates constitutionally protected privacy interests. *See Letcher v. Turner*, 968 F.2d 508, 510 (5th Cir. 1992) (no constitutional violation when male inmate was strip-searched in front of female officers during a lock-down); *Tasby v. Lynaugh*, 123 F. App'x 614, 615 (5th Cir. 2005) ("... strip-searches carried out in nonsecluded areas of the prison and in the presence of prison employees of the opposite sex are non unconstitutional.").

SO ORDERED AND ADJUDGED this 4th day of October, 2012.

s/ Keith Starrett
UNITED STATES DISTRICT JUDGE